

REMARKS

Claims 34-44, 47-50, 52-78, 80-83, 87-104, 106-113, 116, 117, 120-123, 130-133, 135-138, 140-143, 146, 147, 150-154 and 157-171 are pending. By this Amendment, independent claims 34, 72, 104 and 133 are amended to add the word "mechanically" in order to even more clearly distinguish over the applied references.

The Examiner is requested to consider the information submitted with the Information Disclosure Statement that was filed on July 2, 2003. The August 19 Office Action did not refer to the July 2 Information Disclosure Statement.

Claims 34-41, 44, 52, 56, 59, 63, 66, 67, 70-78, 80, 81, 91, 92, 96, 99, 100, 102-104, 106, 109, 110, 112, 116, 130-133, 135, 138, 140, 142, 146 and 154 stand rejected under 35 U.S.C. §102(b) over U.S. Patent No. 4,891,526 to Reeds. This rejection is respectfully traversed.

As shown, for example, in Fig. 3 of Reeds, the drive motors 36 and 61 mechanically contact the X-Y stage plate 12. Also see col. 6, lines 28-42. Accordingly, Reeds does not disclose or suggest what is recited in independent claims 34, 72, 104 and 133 as amended. Thus, all of the above-identified claims are patentable over Reeds.

Claims 34-44, 47-50, 52-56, 59-62, 71-78, 80-83, 87-96, 99, 100, 102-104, 106, 109, 110, 112, 116, 117, 120-123, 130-133, 135, 138, 146, 147, 150-154 and 157 stand rejected under 35 U.S.C. §102(b) over U.S. Patent No. 5,260,580 to Itoh et al. As an initial matter, Applicant notes that Itoh et al. qualifies as a reference under 35 U.S.C. §102(e), not under §102(b) because Itoh et al.'s November 9, 1993 issue date is less than one year prior to Applicant's earliest U.S. priority date of April 1, 1994. This rejection is respectfully traversed.

As recognized in the Office Action (see, for example, the last paragraph in the right hand column on page 7), Itoh does not indicate where the laser distance measuring device 51 is mounted. The Office Action states "albeit not clearly shown, the laser device must be

supported by the stationary base 1" However, Applicant respectfully submits that the figures of Itoh et al. (for example, Figs. 1, 4, 6, 7, 8, 9) clearly show that the laser distance measuring device 51 is not mounted on the stationary base 1. In particular, the top views, like Fig. 1, illustrate that element 51 is not attached to the base 1.

Moreover, the drive coils 41 are attached to the stationary base 1, as illustrated in Fig. 1 of Itoh et al. Thus, the stationary base 1 receives a reaction force exerted by the movement of the moveable stage by the linear motor 4. Accordingly, mounting the laser distance measuring device 51 on the stationary base 1 would not result in the combination of features recited in independent claims 34, 72, 104 and 133.

Accordingly, the above-identified claims are patentable over Itoh et al.

Claims 57, 58, 97, 98, 107, 108, 136 and 137 stand rejected under 35 U.S.C. §103(a) over Itoh et al. This rejection is respectfully traversed. These claims are patentable over Itoh et al. for at least the reasons set forth above with respect to their corresponding independent claims.

Claims 64, 68, 101, 111, 113, 141 and 143 stand rejected under 35 U.S.C. §103(a) over Reeds in view of U.S. Patent No. 5,760,564 to Novak. This rejection is respectfully traversed.

Novak, which issued on June 2, 1998, and is based on an application filed June 27, 1995, does not qualify as a reference against the present application, which has an earliest U.S. filing date of April 1, 1994. Accordingly, this rejection is not well-founded.

In addition, these claims are patentable for the reasons set forth above with respect to their corresponding independent claims. Withdrawal of the rejection is requested.

Claims 63, 65, 67 and 69 stand rejected under 35 U.S.C. §103(a) over Itoh et al. in view of Reeds, and vice versa. These rejections are respectfully traversed. These claims are

patentable for at least the reasons set forth above with respect to their corresponding independent claims.

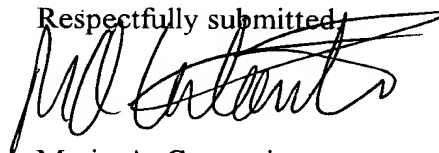
Claims 158-171 stand rejected under 35 U.S.C. §103(a) over Itoh et al. alone, or optionally in view of U.S. Patent No. 5,150,153 to Franken et al. These rejections are respectfully traversed.

Claim 158 is patentable over Itoh et al. for reasons similar to those set forth above with respect to the other independent claims of this application. That is, the position detector of Itoh et al. (element 51) is not supported by the Itoh et al. structure that the Office Action analogizes to the claim 158 support structure. Franken et al. does not provide the deficiencies noted above with respect to Itoh et al. Accordingly, claims 158-171 are patentable over the combination of Itoh et al. and Franken et al.

In view of the foregoing, Applicant respectfully submits that this application is in condition for allowance. Favorable reconsideration and prompt allowance of this application are earnestly solicited.

Should the Examiner believe anything further would be desirable to place this application in even better condition for allowance, the Examiner is invited to contact Applicant's undersigned attorney at the telephone number listed below.

Respectfully submitted,



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MAC/ccs

Attachment:

Petition for Extension of Time

Date: January 20, 2004

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